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Barbara Nolan
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In Re Application of: Potts, R. O., et al.	
Serial No.: 09/927,773	Art Unit: 1631
Filing Date: 10 August 2001	Examiner: M.A. Moran
Title: METHODS AND DEVICES FOR PREDICTION OF HYPOGLYCEMIC EVENTS	

RESPONSE AND AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action in the above-referenced application, mailed 22 September 2003. No fee is believed due. However, the Commissioner is hereby authorized to charge to Deposit Account No. 03-4058 any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the issue fee. Reconsideration of the application in view of the following amendments and remarks is respectfully requested.

Applicants submit that the present amendment conforms to the revised amendment format requirements. If there are any problems with the format of applicants' amendment, the Examiner is respectfully requested to contact the undersigned.

Introductory Comments

1. Summary of the Office Action.

In the Office action, dated 22 September 2003, the Examiner recited the following objections.

The Examiner objected to the wording in the priority claim on page 1 of the application.

The Examiner noted that the Davies, et al., reference was not considered. Apparently the reference was not in the file when the Examiner reviewed the file.

The Examiner objected to claim 10 asserting that the term "reservoir" should be --reservoirs--.

In the Office action, dated 22 September 2003, claims 1-34 were rejected for the following reasons.

The Examiner rejected claims 8 and 9 under 35 U.S.C. §112, second paragraph, asserting that the claims are indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The Examiner asserted that there is insufficient antecedent basis for the limitation "the sampling system."

The Examiner rejected claims 1-34 under 35 U.S.C. §103(a) asserting that the claims are unpatentable over Kurnik (WO 99/58973) in view of Tamada, et al. (JAMA 282(19):1839-1844, 17 November 1999).

These rejections are believed to be overcome in part by the amendments and are otherwise traversed for reasons discussed below.

2. Overview of the Amendments.

A. The Specification.

The amendments to the specification are presented herein below (after the signature page) in the section titled "Amendments to the Specification."

In the Office action, dated 22 September 2003, the Examiner asserted the following:

The wording in the first paragraph of the specification which recites "priority to" a Provisional application under 35 USC 119(e) is improper. The proper phrasing which should be recited before a US Provisional Application is --claims benefit of-- or a phrase similar thereto. The phrase "for which priority is claimed" should be used only when priority is claimed to a US

application under 35 USC 120. Appropriate correction is required.

Applicants thank the Examiner for the Examiner's careful attention to the content of the application. The Cross-Reference to Related Applications has been corrected pursuant to the Examiner's suggestion. Basis for the amendment can be found, for example, in applicants' declaration and in the paragraph originally on page 1, lines 13-15, of the specification.

Accordingly, no new matter has been added by way of this amendment and the entry thereof is respectfully requested.

B. The Claims.

Claims 1-34 are pending in the application. Claims 1, 4, 5, 10, 15, 18, 19, 23, 26, and 32 are amended without prejudice or disclaimer. Claims 8 and 9 are canceled without prejudice or disclaimer. Amendment or cancellation of these claims is not intended to be an acquiescence in the Office's assessment of those claims in the 22 September 2003 Communication and applicants expressly reserve the right to bring the subject matter of the original claims again in a subsequent, related application. New claims 35 and 36 are added by this amendment. After entry of this amendment, claims 1-7 and 10-36 are pending.

The amendments to the claims are presented herein below (after the signature page) in the section titled "Amendments to the Claims."

Support for the amendment to claim 1 can be found throughout the specification as originally filed, for example, at the following locations: page 3, lines 23-28; page 5, lines 6-13; page 19, lines 24-27; page 21, line 25, to page 22, line 6; and page 34, lines 11-14.

Support for the amendment to claim 4 can be found throughout the specification as originally filed, for example, at the following location: page 3, lines 23-28.

Support for the amendment to claim 5 can be found throughout the specification as originally filed, for example, at the following locations: page 3, lines 8-9; and page 3, line 29, to page 4, line 10.

Support for the amendment to claim 10 can be found throughout the specification as originally filed, for example, at the following location: page 4, lines 26-28. Claim 10 is also amended to provide the proper plural reference pursuant to the Examiner's suggestion.

Support for the amendment to claim 15 can be found throughout the specification as originally filed, for example, at the following locations: page 3, lines 23-28; page 4, lines 20-25; and page 19, lines 24-27.

Support for the amendment to claims 18 and 19 can be found throughout the specification as originally filed, for example, at the following location: page 4, lines 20-25.

Support for the amendment to claim 23 can be found throughout the specification as originally filed, for example, at the following locations: page 4, lines 20-25; and page 34, lines 11-14.

Support for the amendment to claim 26 can be found throughout the specification as originally filed, for example, at the following location: page 4, lines 20-25.

Support for the amendment to claim 32 can be found throughout the specification as originally filed, for example, at the following locations: page 4, lines 20-25; and page 34, lines 11-14.

Basis for new claims 35 and 36 can be found throughout the specification as originally filed, for example, at the following locations: page 4, lines 20-25; and page 34, lines 11-14.

Accordingly, no new matter has been added by way of this amendment and the entry thereof is respectfully requested.